

Order

Michigan Supreme Court
Lansing, Michigan

November 25, 2020

Bridget M. McCormack,
Chief Justice

161262

David F. Viviano,
Chief Justice Pro Tem

JODY POHLMAN,
Plaintiff-Appellant,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 161262
COA: 344121
Oakland CC: 2017-853588-DO

JAMES G. POHLMAN,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the January 30, 2020 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1). The appellant shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the mediator's failure to perform the domestic violence screening as required by MCL 600.1035(2) and (3) and MCR 3.216(H)(2) should be reviewed for harmless error; (2) if so, whether such an error here was harmless; and (3) whether the trial court properly denied the appellant's motion for reconsideration arguing that she signed the settlement agreement under duress because of her attorney's actions. See *Vittiglio v Vittiglio*, 297 Mich App 391 (2012); but see Restatement Contracts, 2d, § 175. In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.

The Family Law and Alternative Dispute Resolution Sections of the State Bar of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



b1124

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 25, 2020

Clerk